

**REMARKS**

Claims 5, 8-9, 13-14 and 17 have been amended. Claims 18-24 have been canceled. Accordingly, claims 1-17 are currently pending in the above application.

**Priority**

Applicants appreciate the Examiner's acknowledgment of the claims for priority and safe receipt of the foreign priority document.

**In the Title**

Applicants have amended the title. The title suggested by the Examiner has been adopted.

**In the Abstract**

Applicants have corrected the typographical error in the Abstract and shortened the length to less than 150 words.

**35 USC §112**

Claims 7-14, 17 and 19-20 have been rejected under 35 USC 112, second paragraph. These rejections have been rendered moot by the amendment of these claims.

**35 USC § 103**

Claims 1-14 and 17 have been rejected under 35 USC 102(e) as being anticipated by Hollenberg. Claims 15-16 have been rejected as being unpatentable over Hollenberg in view of knowledge generally available to one of ordinary skill in the art. These rejections are traversed as follows.

The Examiner relies upon Hollenberg for disclosing a digital broadcasting system that includes a digital broadcasting transmission apparatus for broadcasting data groups and a digital broadcasting receive apparatus for receiving data groups. The Office Action further states that the digital broadcasting transmission apparatus of Hollenberg has transmission means for multiplexing and broadcasting ordinary data to be broadcasted as present programs and index data, by referring to Figs. 2, 4, 6, 11 and 12, and by referring to column 21, line 30 to column 22, line 42 of the reference. However, Hollenberg is directed to an information system that is different from that of the digital broadcasting system and mobile terminal of the present invention.

In particular, Hollenberg discloses a situation information system that provides the mobile user with information pertaining to events or conditions associated with places in which the mobile user may encounter or consider visiting. (see column 4, lines 33-40 of the reference.) The

places are determined using a positioning system implemented through satellite positioning or through known location information service providers. The information is useful for mobile users who want to be informed of information pertaining to nearby geographical features or of services available in local areas. This information is provided to the mobile users through broadcasting of the data. In Hollenberg, the devices can also download information including detailed maps from an information provider. However, Hollenberg does not disclose or suggest the claimed combination set forth by Applicants.

In conventional broadcast systems, the user of a mobile terminal has difficulty downloading massive amounts of data since the typical data distribution system for mobile use is unable to transfer all of the needed data in the short period of time that typically exists for such an operation. This leads to repeat data broadcasting to complete the requested download, including the repeat broadcast of past data whereby the transmission efficiency is reduced and failure in providing various data services results. See page 2, lines 16-22 of the specification.

In the digital broadcasting system of the present invention as set forth in claims 1-12, a digital broadcasting receive apparatus receives data groups through a data distribution part and the digital broadcasting transmission

apparatus has transmission means for multiplexing and broadcasting ordinary data to be broadcasted as present programs and index data defined as identification information of data broadcasted in the past or to be broadcasted in the future. Specifically, the index data can include a data ID (number and/or name) of the data broadcasted in the past or to be broadcasted in the future. See, for example, claim 2 of the present application. By using the index data defined as identification information of data broadcasted in the past or to be broadcasted in the future, the name of the data and preferably the location of the data which should be transmitted again can be determined and the efficiency and transmission processing can be increased for broadcasting data to a mobile terminal.

As for the invention according to claims 13-17, the mobile terminal that is claimed includes control means for managing a program and data captured from communication means and input means that accept an operation input by a user. The information memory stores management information including an information ID of the programs and data independently of the programs and data. Further, as set forth in claim 14, the control means receives index data including data ID's of the data already broadcasted or to be broadcasted in the future along with the ordinary data including programs and related

data. Accordingly, claims 1-17 are patentable over Hollenberg, whether or not the reference is considered in combination with the knowledge generally available to one having ordinary skill in the art. Therefore, the 35 USC §103 rejection of claims 1-17 should be withdrawn.

**Conclusion**

In view of the foregoing amendments and remarks, reconsideration and reexamination are respectfully requested.

Respectfully submitted,



John R. Mattingly  
Reg. No. 30,293  
Attorney for Applicant(s)

MATTINGLY, STANGER & MALUR, P.C.  
1800 Diagonal Road, Suite 370  
Alexandria, Virginia 22314  
(703) 684-1120  
Date: November 6, 2003